

REMARKS

This Response is submitted in reply to the Office Action dated November 3, 2006 ("Present Action"). No amendments have been made to Claims 94-114. A Petition for a One Month Extension of Time to respond to the Office Action is submitted herewith. Please debit Deposit Account No. 02-1818 for any fees due in connection with this Response.

In reply to Applicants' August 28, 2006 Response ("Prior Response") to the April 28, 2006 Office Action ("Prior Action"), the Present Action asserts that: (a) the Prior Response did not address support for the subject matter defined by Claims 94-114, such as "retrieval of player data over network including player tracking data;" and (b) the Prior Response did not point out how the language of such Claims distinguishes them from the referenced relied upon in the Prior Action. Accordingly, the Present Action concluded that the Prior Response failed to comply with MPEP 714.03 and 37 C.F.R. 1.111.

1. Support

Applicants submit that the Specification supports the subject matter of the Claims 94-114, including the subject matter relating to player-specific information such as the player's name. Among other parts of the Drawings and Specification, Figure 11 and the following sections of the Specification provide such support:

In the embodiment where the recording member 146 is a thermo-reversible or thermosensitive member, the thermal head (not shown) of the graphics printer 134 applies a designated level of heat to a pattern on the recording member 146. If, for example, the pattern is the letters for the text 202, the face 198 of the card 116 displays the player-readable text 202, which in this example, is the name of the player. In another example, if the pattern is the player-readable text 204, the face 198 of the card 116 displays the text 204 to the player. In this example, the text 204 is the monetary equivalent or purse amount of the player's credit unit balance on the card 116. (Specification, Page 39, Lines 1-10).

The graphics eraser 136 can erase this text 202 and 204 by applying a certain level of heat to the recording member 146. Accordingly, the recording member 146 can be written upon and erased time and time again. (Specification, Page 39, Lines 11-14).

In another embodiment, one or more of the gaming devices of the present invention are in communication with a central server or controller for monitoring purposes only. That is, each individual gaming device randomly generates the game outcomes to be provided to the player and the central server or controller monitors the activities and events occurring on the plurality of gaming devices. In one embodiment, the gaming network includes a real-time or on-line accounting and gaming information system operably coupled to the central server or controller. The accounting and gaming information system of this embodiment includes a player database for storing player profiles, a player tracking module for tracking players and a credit system for providing automated casino transactions. (Specification, Page 52, Line 26 - Page 53, Line 3).

If the Examiner has any further questions regarding support for the claims, Applicants respectfully request that the Examiner contact the undersigned.

2. Overcoming Rejections of Prior Action

The Prior Action rejected:

(a) now canceled Claims 1-24, 38-69, 71 and 82-93 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,683,082 to Takemoto et al. ("Takemoto 082") or, in the alternative, under 35 U.S.C. §103(a) as obvious over Takemoto 082 in view of U.S. Patent No. 5,628,685 to Takemoto et al. ("Takemoto 685");

(b) now canceled Claims 25-37, 70 and 72-81 under 35 U.S.C. §102(b) as being anticipated by Takemoto 082, or, in the alternative, under 35 U.S.C. §103(a) as obvious over Takemoto 082 in view of U.S. Patent No. 5,179,517 to Sarbin et al. ("Sarbin"), or, in the alternative, as being unpatentable over Takemoto 082 in view of Takemoto 685 and further in view of Sarbin;

(c) now canceled Claims 1-19, 22-24, 38, 44-45, 51-52, 58-59, 65-69 and 82-93 under 35 U.S.C. §102(b) as being anticipated by Takemoto 685;

(d) now canceled Claims 20-21, 39-43, 46-50, 53-57 and 60-64 as being unpatentable over Takemoto 685 in view of Takemoto 082; and

(e) now canceled Claims 25-37, 70 and 72-81 under 35 U.S.C. §103(a) as being unpatentable over Takemoto 685 in view of Sarbin.

In the Prior Response, Applicants canceled such Claims and submitted new independent Claims 94, 102 and 109.

Independent Claim 94, as submitted in the Prior Response, recites: "at least one instruction executable by the processor to: (a) enable the processor to access, over a network, player-specific information stored in a data storage device, and (b) cause the thermal energy director to cause a human-readable symbol to be produced and viewable on the received data card, the human-readable symbol indicating at least a portion of the player-specific information."

Independent Claim 102, as submitted in the Prior Response, recites: "at least one instruction executable by the processor to: (a) enable the processor to access, over a network, player-specific information stored in a data storage device, the player specific information including data associated with at least one player profile, (b) cause the data writer to change machine-readable data stored by the data card after a designated event occurs, and (c) cause the thermal energy director to cause a human-readable symbol to be produced and viewable on the received data card after a designated event occurs, the human-readable symbol indicating at least a portion of the player-specific information."

Independent Claim 109, as submitted in the Prior Response, recites: "(d) cause heat to be directed toward the data card to cause human-readable graphics to be produced and viewable on the received data card after a designated event occurs, the human-readable graphics indicating: (i) at least a portion of the data associated with the player profile, and (ii) at least a portion of the machine-readable data stored by the data card."

Though Takemoto 082 makes the following disclosure, Applicants submit that Takemoto 082 does not disclose all of the elements recited above in Claim 94, 102 or 109:

The card processor 5a allows not only magnetic cards, but also receipts or the like on which data is visually recorded, to be used as input/output media. For

example, a card processor may be used which uses magnetic cards only as card-like recording media for inputting amount data and receipts or the like on which data is printed, or for outputting data of the number of finally won pinballs. Also, a card processor may be used which uses recyclable cards on which characters, etc., can be represented and erased as a result of a temperature change (cards proposed by the applicant in Japanese Patent Application No. Hei 3-260879) as card-like recording media. (Takemoto 082, Column 8, Lines 28-39).

Though Takemoto 685 makes the following disclosure, Applicants submit that Takemoto 685 does not disclose all of the elements recited above in Claim 94, 102 or 109:

The game play media lending machine 20 is formed with a card inlet and outlet 24a below the bill slot 21 for taking a card C issued by the game play media counter 12 into the machine body 20a. Placed in the inside of the machine body 20a from the card inlet and outlet 24a is a card reader/writer 24 which has the read section 25 for reading the game play result information and remaining amount information recorded on the inserted card, the write section 26 for newly writing the number of game play media, the remaining amount information, and other necessary items onto one of the cards taken into the machine body 20a, and the card stacker 27 for stacking and storing the cards taken into the machine body 20a. The read section 25 comprises a scanner, for example, for reading bar codes. On the other hand, the write section 26 comprises a thermal head, for example, for thermally writing and erasing bar codes, etc., for recording them. (Takemoto 685, Column 7, Line 58 – Column 8, Line 7).

Though Sarbin makes the following disclosure, Applicants submit that Sarbin does not disclose all of the elements recited above in Claim 94, 102 or 109:

One of the more significant features of the invention is a comprehensive player tracking capability. As the player operates the machine, data representing game play is transmitted by the interface unit to the memory 90 of the card 20. For example, the identification of the machine being played is stored in a data field 104 as shown in FIG. 5. In the preferred embodiment of the invention the identification of the last ten machines 10 played are stored in fields 104. In addition, specific information relating to the games played is also stored in card memory 90. In the embodiment shown in FIG. 5, eight data fields indicated generally at 106 are provided to store information relating to player activity. Here, there is one field 106 for each denomination: nickel, dime, quarter, half-dollar, dollar, \$5, \$25 and \$100. Within each field 106 there is a group of subfields for storing the number of: coins played 108, coins paid out 110 the number of games played 112 and the number of coins paid by attendants 114 for each denomination. Also, the time of play in minutes for that denomination is stored in

a subfield 116. It will be understood, of course, that the amount and types of data stored in the game play fields such as 106 of memory 90 can be varied to suit a particular casino operating environment. In addition to the play data discussed above the memory 90 contains a data field 118 to store information relating to the jackpots or other major prizes won by the players. (Sarbin, Column 6, Line 48 – Column 7, Line 7).

For the foregoing reasons, Applicants respectfully submit that the Prior Response's submission of Claims 94-114 overcomes the rejections of the Prior Action.

An earnest endeavor has been made to place this application in condition for allowance, and such allowance is courteously solicited. If the Examiner has any questions related to this Response, Applicants respectfully request that the Examiner contact the undersigned.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

Adam H. Masia

Reg. No. 35,602

Cust. No. 29159

Dated: January 3, 2007